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U.S. PTO

Approved for use through 07/31/2006. OMB 0651-0032

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PTO/SB/05 (01-04)

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

| | |
|------------------------|--------------------------|
| Attorney Docket No. | 14671 |
| First Inventor | KIERNAN, Amy |
| Title | LIQUID FLOW REGULATION.. |
| Express Mail Label No. | 8426 1160 1965 |

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)

2. Applicant claims small entity status.
See 37 CFR 1.27.

3. Specification [Total Pages 14]
(preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. Oath or Declaration [Total Sheets 3]

- Newly executed (original or copy)
- Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6. Application Data Sheet. See 37 CFR 1.76

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- Computer Readable Form (CRF)
- Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - Paper
- Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of (when there is an assignee) Attorney
11. English Translation Document (if applicable)
12. Information Disclosure Copies of IDS Statement (IDS)/PTO-1449 Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No.:

Prior application information:

Examiner _____

Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number: _____OR Correspondence address below

| | | | |
|----------|--------------------------|-----------|--------------|
| Name | Theodore J. Biele, Jr. | | |
| Address | 1990 N. California Blvd. | | |
| | Suite 720 | | |
| City | Walnut Creek | State | CA |
| Country | U.S.A. | Telephone | 925.937.1515 |
| Zip Code | 94596 | | |
| Fax | 925.937.1529 | | |

| | | | |
|-------------------|---------------------------------|-----------------------------------|--------|
| Name (Print/Type) | THEODORE J. BIELEN, JR. | Registration No. (Attorney/Agent) | 27,420 |
| Signature | _____ Theodore J. Biele, Jr. | | |
| | Date | 4/12/2004 | |

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. PTO

PTO/SB/17 (10-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 385.00)

Complete if Known

| | |
|----------------------|--------------|
| Application Number | |
| Filing Date | |
| First Named Inventor | KIERNAN, Amy |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 14671 |

METHOD OF PAYMENT (check all that apply)
 Check Credit card Money Order Other None

 Deposit Account:

Deposit Account Number

 Deposit Account Name

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEES CALCULATION
1. BASIC FILING FEE

| Large Entity | Fee Code (\$) | Small Entity | Fee Code (\$) | Fee Description | Fee Paid |
|---------------------|---------------|--------------|---------------|------------------------|----------|
| 1001 | 770 | 2001 | 385 | Utility filing fee | 385.00 |
| 1002 | 340 | 2002 | 170 | Design filing fee | |
| 1003 | 530 | 2003 | 265 | Plant filing fee | |
| 1004 | 770 | 2004 | 385 | Reissue filing fee | |
| 1005 | 160 | 2005 | 80 | Provisional filing fee | |
| SUBTOTAL (1) | | (\$ 385.00) | | | |

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

| Total Claims | Independent Claims | Multiple Dependent | Extra Claims | Fee from below | Fee Paid |
|--------------|--------------------|--------------------|--------------|--|----------|
| | | | -20** | = <input type="text"/> X <input type="text"/> = <input type="text"/> | |
| | | | - 3** | = <input type="text"/> X <input type="text"/> = <input type="text"/> | |
| | | | | = <input type="text"/> | |

| Large Entity | Fee Code (\$) | Small Entity | Fee Code (\$) | Fee Description |
|---------------------|---------------|----------------------------|---------------|--|
| 1202 | 18 | 2202 | 9 | Claims in excess of 20 |
| 1201 | 86 | 2201 | 43 | Independent claims in excess of 3 |
| 1203 | 290 | 2203 | 145 | Multiple dependent claim, if not paid |
| 1204 | 86 | 2204 | 43 | ** Reissue independent claims over original patent |
| 1205 | 18 | 2205 | 9 | ** Reissue claims in excess of 20 and over original patent |
| SUBTOTAL (2) | | (\$ <input type="text"/>) | | |

*or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

| Large Entity | Small Entity | Fee Description | Fee Paid |
|-----------------------------------|--------------|--|--|
| 1051 | 130 | 2051 65 Surcharge - late filing fee or oath | <input type="text"/> |
| 1052 | 50 | 2052 25 Surcharge - late provisional filing fee or cover sheet | <input type="text"/> |
| 1053 | 130 | 1053 130 Non-English specification | <input type="text"/> |
| 1812 | 2,520 | 1812 2,520 For filing a request for ex parte reexamination | <input type="text"/> |
| 1804 | 920* | 1804 920* Requesting publication of SIR prior to Examiner action | <input type="text"/> |
| 1805 | 1,840* | 1805 1,840* Requesting publication of SIR after Examiner action | <input type="text"/> |
| 1251 | 110 | 2251 55 Extension for reply within first month | <input type="text"/> |
| 1252 | 420 | 2252 210 Extension for reply within second month | <input type="text"/> |
| 1253 | 950 | 2253 475 Extension for reply within third month | <input type="text"/> |
| 1254 | 1,480 | 2254 740 Extension for reply within fourth month | <input type="text"/> |
| 1255 | 2,010 | 2255 1,005 Extension for reply within fifth month | <input type="text"/> |
| 1401 | 330 | 2401 165 Notice of Appeal | <input type="text"/> |
| 1402 | 330 | 2402 165 Filing a brief in support of an appeal | <input type="text"/> |
| 1403 | 290 | 2403 145 Request for oral hearing | <input type="text"/> |
| 1451 | 1,510 | 1451 1,510 Petition to institute a public use proceeding | <input type="text"/> |
| 1452 | 110 | 2452 55 Petition to revive - unavoidable | <input type="text"/> |
| 1453 | 1,330 | 2453 665 Petition to revive - unintentional | <input type="text"/> |
| 1501 | 1,330 | 2501 665 Utility issue fee (or reissue) | <input type="text"/> |
| 1502 | 480 | 2502 240 Design issue fee | <input type="text"/> |
| 1503 | 640 | 2503 320 Plant issue fee | <input type="text"/> |
| 1460 | 130 | 1460 130 Petitions to the Commissioner | <input type="text"/> |
| 1807 | 50 | 1807 50 Processing fee under 37 CFR 1.17(q) | <input type="text"/> |
| 1806 | 180 | 1806 180 Submission of Information Disclosure Stmt | <input type="text"/> |
| 8021 | 40 | 8021 40 Recording each patent assignment per property (times number of properties) | <input type="text"/> |
| 1809 | 770 | 2809 385 Filing a submission after final rejection (37 CFR 1.129(a)) | <input type="text"/> |
| 1810 | 770 | 2810 385 For each additional invention to be examined (37 CFR 1.129(b)) | <input type="text"/> |
| 1801 | 770 | 2801 385 Request for Continued Examination (RCE) | <input type="text"/> |
| 1802 | 900 | 1802 900 Request for expedited examination of a design application | <input type="text"/> |
| Other fee (specify) _____ | | | |
| *Reduced by Basic Filing Fee Paid | | | SUBTOTAL (3) (\$ <input type="text"/>) |

(Complete if applicable)

| Name (Print/Type) | Signature | Registration No. (Attorney/Agent) | Telephone |
|-------------------------|-----------|-----------------------------------|--------------|
| Theodore J. Bielen, Jr. | | 27,420 | 925.937.1515 |

Date 4/12/2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)

| | |
|------------------------|----------------------------------|
| First Named Inventor | KIERNAN, Amy |
| Title | LIQUID FLOW REGULATION DEVICE |
| Attorney Docket Number | 14671 |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

12 April 2004

Date



Signature

925.937.1515

Telephone number

THEODORE J. BIELEN, JR.

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.